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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

MEETING DATE August 21, 2015 EFFECTIVE DATE September 4, 2015	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Terra Vista de Arroyo Grande LLC / Angelo Belli-Mojica	FILE NO. DRC2012-00116
<b>SUBJECT</b> Hearing to consider a request by <b>TERRA VISTA DE ARROYO GRANDE LLC / ANGELO BELLI-MOJICA</b> for a Minor Use Permit (DRC2012-00116) to allow for a twelve (12) foot high concrete block site wall approximately 320 feet in length within the required 30-foot side and rear setbacks, and a three (3) foot high concrete block wall approximately 25 feet in length within the required 25-foot front setback and the 30-foot side setback pursuant to Land Use Ordinance Section 22.10.080. The proposed project is within the Residential Rural land use category and is located at 695 Meadow Oak Lane, approximately 970 feet south of the intersection of Meadow Oak Drive and Halcyon Road, approximately 0.5 mile east of the village of Palo Mesa. The site is in the South County Inland Sub Area of the South County planning area.			
<b>RECOMMENDED ACTION</b> Approve Minor Use Permit DRC2012-00116 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 3 Categorical Exemption was issued on July 13, 2015 (ED15-011).			
<b>LAND USE CATEGORY</b> Residential Rural	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 075-351-042	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> None applicable <i>Does the project meet applicable Planning Area Standards:</i> Not applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.10.080 – Fencing and Screening <i>Does the project conform to the Land Use Ordinance Standards:</i> Yes, as conditioned – see discussion for request for modification through the Minor Use Permit process			
<b>FINAL ACTION</b> This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on September 4, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
<b>EXISTING USES:</b> Single family residence, secondary dwelling, pool, pool house, workshop, gazebo			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Rural/Residences <i>East:</i> Residential Rural/Residences <i>South:</i> Residential Rural/Residences <i>West:</i> Residential Rural/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

## OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: South County Advisory Council, Public Works, Cal Fire, City of Arroyo Grande, San Luis Obispo County Building Division

## TOPOGRAPHY:

Gently to moderately sloping

## VEGETATION:

Grasses, forbs, ornamental landscaping

## PROPOSED SERVICES:

Water supply: On-site well

Sewage Disposal: Individual septic system

Fire Protection: Cal Fire

## ACCEPTANCE DATE:

July 10, 2015

## DISCUSSION

### PROJECT HISTORY:

The applicant is proposing to construct a twelve (12) foot high concrete block site wall approximately three hundred and twenty (320) feet in length within the required 30-foot side and rear setback areas, and a three (3) foot high concrete block wall approximately 25 feet in length within the required 30-foot side setback area and along the front of the property pursuant to Land Use Ordinance Section 22.10.080. The proposed 3 foot high wall will connect the proposed 12 foot high site wall to an existing wall located at the front of the property adjacent to the residential driveway.

The 12' high site wall will be located approximately twenty three feet (22.91') in from the western side property line and will extend from the rear property line to a point which is 25' from the edge of pavement of Meadow Oak Drive. The purpose of the site wall is for the applicant's privacy and to address neighborhood noise complaints. The 3' high wall will be located approximately twenty three feet (22.91') in from the western side property line and will extend approximately 7 feet from the northern terminus of the 12' high site wall. The 3' high site wall will then extend approximately 25 feet in a southeasterly direction and connect to an existing wall located at the front of the property.

The subject parcel is Tract 2221, Lot 5. There is a 50 foot wide Public Utility Easement and a 50 foot wide offer of road dedication for Tract No. 1939 that was created by Tract No. 2221 that extends the full length of the western boundary of the property. Approximately 22.91 feet of the 50 foot easement/offer is located on the subject property. Both the 12' and 3' high walls will be located adjacent to, but outside of, the easement/offer area on the western side of the property.

The easement/offer also extends along a portion of the southern boundary of the property where it was intended to provide a fire and emergency turn-around. The applicant submitted an application to the San Luis Obispo County Department of Public Works for a vacation of the portion of the 50' Public Utility Easement and Offer of Road Dedication along the south boundary of the subject property. On December 15, 2014 the County of San Luis Obispo Board of Supervisors adopted Resolution 2014-350, a Resolution Vacating a portion of a Public Utility Easement (P.U.E.) and Offer of Road Dedication for Tract No. 1939 as created by Tract 2221 by Summary Vacation in the Community of Arroyo Grande, Supervisorial District No. 4. See Attachment 5 for a graphic depicting the easement/offer area within the subject property and the

portion that was vacated. The 12' high site wall will extend to the rear property line within the vacated area.

LAND USE ORDINANCE STANDARDS:

**Section 22.10.080 (C) Standards for fencing and screening materials and (B)(4) Exceptions to fencing and screening requirements.**

The front setback for this property is twenty-five (25) feet. The side and rear setback is thirty (30) feet. Per Section 22.10.080(C) the maximum height of a solid structure within the front setback is three (3) feet. The maximum height of a solid structure within the side and rear setbacks is six (6) feet six (6) inches. Section 22.10.080 (B)(4) allows for modification of fencing and screening requirements through Minor Use Permit approval.

*Staff comments: The proposed 3' high site wall is within the front and side setbacks. The 3' high site wall meets the allowable maximum height standards for solid structures within both the front and side setbacks. The 3' high wall will match the existing wall (texture and color) that is located at the front of the property for a uniform appearance. Please see Attachment 3, Project Graphics, for a picture of the existing wall in the front of the property.*

*The proposed 12' high site wall is within the side and rear setbacks. The maximum height of a solid structure within the side and rear setbacks is six (6) feet six (6) inches. The 12' high site wall exceeds the maximum allowable height for a solid structure within both the side and rear setbacks. The purpose of the site wall is to address neighborhood noise complaints and for the applicant's privacy. The adjacent property owner has already planted a row of trees to block views between the properties. Pedestrian access is provided on the subject property within the 50 foot wide Public Utility Easement and the 50 foot wide offer of road dedication located on the western side of the property. The proposed fencing would address privacy concerns and the pedestrian access. The proposed 12' high site wall will not block visibility of the residence front entrance from the street and will not impair safe sight distances for vehicle traffic. The proposed site wall includes some articulation to provide softening of the appearance of the site wall. The wall will be approximately 12 inches in width up to a height of 3-4 feet and then it transitions to an 8 inch wide block. The 12' high wall will be earth tone in appearance to blend in with the project site.*

COMMUNITY ADVISORY GROUP COMMENTS: South County Advisory Council. No comments received.

AGENCY REVIEW:

**Public Works** – No comment given the proposed site wall will be located outside of the existing easement, and a vacation of a portion of the public utility easement and offer of road dedication for Tract No. 1939 as created by Tract 2221 was approved by County of San Luis Obispo Board of Supervisors per adoption of Resolution 2014-350.

**SLO County Building Division** – Comments received and incorporated as conditions of approval.

**Cal Fire** – No comments.

**City of Arroyo Grande** - No comments.

LEGAL LOT STATUS:

The one lot is Tract 2221, Lot 5 and was legally created by a recorded map at a time when that was a legal method of creating lots.

ATTACHMENTS

Attachment 1 - Findings

Attachment 2 - Conditions of Approval

Attachment 3 - Project Graphics

Attachment 4 - Project Referral Responses

Attachment 5 - Board of Supervisors Resolution 2014-350

Staff report prepared by Jo Manson

and reviewed by Karen Nall, Supervising Planner